IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 16TH AUGUST 2007 / 25TH SRAVANA 1929

WP(C).No. 17119 of 2006(K)

EA 202/05 IN OS.171/2001 of MUNSIFF COURT,VARKALA

.....

PETITIONER:

K.SATHYABABU, S/O.KUNJUKRISHNA PILLAI,
ARCHANA NIVAS, PUNNAMOODU DESOM,
VARKALA VILLAGE, TRIVANDRUM DISTRICT.

BY ADV. SRI.VAKKOM N.VIJAYAN
SMT.VINITHA PRASANNAN
SRI.P.ANIYAN
SMT.REENA.C.STEPHENSON
SRI.A.S.SACHIN
SRI.R.SURESH
SMT.RAGAM.K.P.

RESPONDENT:

SAJI, S/O.GANGADHARAN, VILAYIL VEEDU,
CHILAKKOOR DESOM, VARKALA,
THIRUVANANTHAPURAM DISTRICT.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC : 17119 OF 2006

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 : TRUE COPY OF JUDGMENT DATED 27.09.2001 IN OS NO.171/01 OF THE MUNSIFF'S COURT, VARKALA.

EXT.P2 : TRUE COPY OF ORDER DATED 28.01.06 IN EA NO.202/05 IN OS NO.171/2001.

/TRUE COPY/

PA TO JUDGE

PIUS C. KURIAKOSE, J.

W.P.(C) No. 17119 OF 2006

Dated this the 16th day of August, 2007

JUDGMENT

Learned counsel for the petitioner seeks more time to remit process. But I find that under the impugned order Ext.P2, an application for condonation of delay filed by the petitioner has been dismissed by the learned Munsiff. In view of the settled position that Section 5 of the Limitation Act is not applicable to the execution applications, no useful purpose will be served from the petitioner's point of view by granting time. The Writ Petition will stand dismissed.

PIUS C. KURIAKOSE, JUDGE

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